

# Exhibit 5

**Exhibit 5**

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**From:** FOIA Status [FOIAStatus@state.gov]  
**Sent:** Wednesday, November 02, 2011 7:37 AM  
**To:** Malinsky, Jason  
**Subject:** RE: FOIA Request Control #: 2011 064 24  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Mr. Malinsky,

I have forwarded your email to the case analyst and the branch chief. Since you have requested an estimated completion date and asked several other questions it will take some time to obtain the information you seek. Please keep in mind each case is different and the search time varies depending on the complexity of information requested and the time it takes to review the material.

I hope this information is helpful. If you have further concerns or have any questions regarding any FOIA-related matter, please contact the FOIA Requester Service Center (FRSC) at (202) 261-8484, or fax us at (202) 261-8582 or send an e-mail to [foiastatus@state.gov](mailto:foiastatus@state.gov)

Chris Barnes  
U.S. Department of State  
FOIA Requester Service Center  
(202) 261-8484  
[foiastatus@state.gov](mailto:foiastatus@state.gov)

In accordance with Executive Order 12958, this message is UNCLASSIFIED

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**From:** Malinsky, Jason [mailto:JMalinsky@mofo.com]  
**Sent:** Monday, October 31, 2011 12:29 AM  
**To:** FOIA Status  
**Cc:** Oliver, L. Scott; becca.heller@gmail.com  
**Subject:** FOIA Request Control #: 2011 064 24

Dear Ms. Mary Casto:

Following up on our July 15, 2011 FOIA request (attached) assigned control number: 2011 064 24, we request the following information:

- (1) The tentative release date of the information requested, as required by 5 U.S.C. § 552(a)(7)(B)(ii);
- (2) An explanation of what **specific** records encompassed by our request are properly sought from U.S. Citizenship and Immigration Services and why these records are not available from the U.S. Department of State; and
- (3) The status of our fee waiver request.

Attached please find:

- Our original FOIA request (July 15, 2011);
- Our follow-up letter (August 18, 2011);
- The U.S. Department of State's response (dated August 15, 2011, received on August 22, 2011); and

- o The supplemental fee waiver information requested by the Department of State and our request for an explanation of what records are properly sought from the U.S. Citizenship and Immigration Service (September 8, 2011).

Thank you.

Jason Malinsky  
Attorney for the Iraqi Refugee Assistance Project

**Jason A. Malinsky**  
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